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May 12, 2008

JAMES BONINI, CLERK
DAYTON, OHIO

Chief Magistrate Judge Michael R. Merz
Federal Building, Room 505
200 West Second Street
Dayton, Ohio 45402

Re: *Elwood H. Jones v. Margaret Bagley, Warden,*
United States District Court, Southern District of Ohio
Case No. 1:01-cv-00564-TMR-MRM

Dear Judge Merz:

It has taken me some time to review and respond to Mr. Jones' most recent letters to counsel, which he has so kindly filed with the Court.

In reviewing these letters, I have noted a mistake in our Post-Hearing Traverse. We quoted from the testimony of Ms. Adams on pages 90-91 of our Traverse. The implication was that this testimony related to Ryan Norman. This is not accurate. The quoted testimony related to another undisclosed witness, one Robyn Williams, whom we discussed at pages 27 & 92. The quote accurately depicts Ms. Adams's testimony that she would have considered the witness Williams significant and would have investigated the matter. Ms. Adam's testimony about the importance of the undisclosed statements of Mr. Ryan can be found in the Hearing Transcript at pp. 221-24

My apologies for any inconvenience that this may have caused.

Respectfully,


GARY W. CRIM

GWC: msw

cc: Sarah A. Hadacek and Stephen E. Maher